National Aeronautics and
Space Administration

Headquarters
Washington, DC 20546-0001

July 13, 2007

Reply to Attn of: Facilities Engineering and Real Property Division

TO: Ames Research Center
Attn: Director of Facilities
Director of Center Operations

Kennedy Space Center
Attn: Director of Center Operations

FROM: Director, Facilities Engineering and Real Property Division

SUBJECT: Interim Agency-wide Policy for Enhanced Use Lease (EUL) Agreements

The Government Accountability Office (GAO) reported on its review of NASA's EUL demonstration program in March 2007. The GAO had been directed to conduct the review of the NASA Authorization Act of 2005 (Public Law 109-155), Section 710. GAO visited the two EUL demonstration Centers, the Ames Research Center (ARC) and the Kennedy Space Center (KSC), as well as NASA Headquarters to review the demonstration program and interview personnel who manage and operate the EUL program and leases.

The GAO found that each demonstration Center has mechanisms to ensure that EUL agreements provide benefit, beyond rent, to NASA and fair market consideration is received for all property. However, GAO found that NASA does not have adequate controls in place to ensure accountability and transparency and to protect the Government. Further, NASA has no accounting system for tracking and reporting the value of in-kind consideration and cash revenue.

GAO recommended that NASA develop an Agency-wide policy for EUL. This Agency-wide policy is to ensure accountability, protect the Government, and provide transparency regarding the Agency's EUL activities.

NASA agreed to the GAO recommendation. Enclosed is the interim Agency-wide policy for EUL. The policy only affects the two Centers that have EUL authority under the EUL demonstration program, ARC and KSC. If the other NASA Centers gain EUL authority either under currently proposed legislation or other future legislation, this policy will be applicable to those other Centers. This interim policy will be amended to include any requirements, additions and deletions from the current demonstration authority that are in the expanded authority if such expanded authority is granted.

This interim Agency-wide policy is based upon sound business practices and lessons learned from the demonstration Centers and will establish controls and processes to ensure accountability and protect the Government's interests. The interim Agency-wide EUL policy includes processes that provide:

1. Criteria for determining that EUL represents the best economic value for the Government;
2. Measures of effectiveness for the EUL program;
3. Processes to ensure accountability;
4. Identifying and quantifying the value of in-kind consideration arrangements (under existing EUL authority) and expenditures of EUL revenue in NASA's annual EUL reports to the Congress; and,
5. Reporting the availability and use of EUL funds in the Agency's operating plans.

The enclosed policy does not include formal accounting controls. Financial guidance including accounting controls is under development and it will be provided to the Centers when it is complete. The Facilities Engineering and Real Property Division will continue to work with the Office of the Chief Financial Officer toward formal accounting controls. Until that policy is in place the Centers are to maintain appropriate and accurate records of EUL agreements in their financial systems and are to use the enclosed interim policy guidance for reporting of cost, receipts and expenditures for operations and management of their EUL programs. To assist in this process the NASA Real Property Inventory (RPI) will be modified by this office in order to accept the required reporting elements for each lease. Centers will use the RPI to record all EUL leases. The Facilities Engineering and Real Property Division will use that information for internal and external reporting on the EUL program including the annual EUL report to Congress.

If you have any questions, please contact Albert S. Johnson, Team Lead for Master Planning and Real Estate at 202-358-1834, or by email at <albert.johnson@nasa.gov>.

James W. Wright

Enclosure

cc:
Office of the Chief Financial Officer
- Ms. Carey
- Ms. Hyland
- Ms. Jefferson
- Mr. Savitsky
- Dr. Schurr

Ames Research Center
- Mr. Jennings

Dryden Flight Research Center
- Mr. Crowley
- Mr. Tryon

Glenn Research Center
- Mr. Shyne

Goddard Space Flight Center
- Ms. Spaganuolo
- Ms. Williams

Jet Propulsion Laboratory
- Mr. Bhanji
- Mr. Klose

Johnson Space Center
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Kennedy Space Center
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Langley Research Center
- Mr. Craft
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- Mr. Kilgore
- Mr. Sandford

Marshall Space Flight Center
- Mr. Corn
- Ms. McNair
- Mr. Guarin

Stennis Space Center
- Ms. Benigno
- Mr. Canady

Wallops Flight Facility
- Mr. Phillips

White Sands Test Facility
- Mr. Cort

National Aeronautics and Space Administration Interim Agency-wide Policy for Enhanced Use Leasing

I. Background – NASA Real Estate

Federal law and policy require NASA to manage its physical assets in a business-like manner. Federal land use policy and the Space Act allow partnerships with public or private entities. In such public-private partnerships (PPP), the National Aeronautics and Space Administration (NASA) can commit to collaborative endeavors in areas of research and technology development, or enter into agreements to allow others, both private sector and governmental, to use its land and facilities. In these agreements NASA seldom commits funds for capital construction. Rather NASA looks to the other entity to provide capital for construction either by self-financing or by borrowing from a third party lender. NASA's partners may deploy their capital to construct facilities on NASA property through land use agreements associated with the PPP. These land use agreements often entail long-term use of NASA-controlled land and other physical assets. These PPP include Enhanced Use Leasing (EUL) agreements.

II. What is Enhanced Use Leasing

The EUL authority allows Federal agencies to enter into real estate agreements to improve underutilized real property including land, buildings and other structures. The EUL allows the Agency to retain and use the proceeds for use on its real property.

III. Current NASA Enhanced Use Lease Authority

Congress granted NASA limited authority to enter into EUL in the FY 2003 Consolidated Appropriations Resolution (P.L. 108-7). See Appendix A. Under its authority NASA may enter into EUL agreements with private sector entities as well as with local and state Governments, and other Federal agencies. NASA is allowed to retain the proceeds from these leases (1) to cover the full costs to NASA in connection with the lease, and (2) for maintenance, capital revitalization, and improvements of the real property assets of the centers selected for this demonstration program. NASA is authorized to conduct a demonstration program of EUL at two NASA Centers. The two Centers selected for the EUL demonstration program are the Ames Research Center and the Kennedy Space Center.

The existing EUL authority provides the Agency with increased incentive and flexibility to develop underutilized real property, thereby improving the Agency's performance by allowing NASA to recover asset values, reduce operating costs, improve facility conditions, and improve mission effectiveness.

Enclosure

IV. 2006 GAO Audit of the NASA EUL Program

Section 710 of the NASA Authorization Act of 2005 (Public Law 109-155) directed the Government Accountability Office (GAO) to review NASA's EUL program. The GAO examined:

1. The financial impact of the EUL authority on NASA and whether EUL revenue and other financial benefits would have been realized without the authority;
2. NASA's use of the authority and whether the arrangements made under the authority would have been made in the absence of the authority; and,
3. What controls are in place to ensure accountability and transparency and to protect the Government.

Following their audit of NASA's EUL demonstration program GAO recommended in their report that NASA develop an Agency-wide EUL policy. NASA agreed to this recommendation. The Agency-wide policy will be based on sound business practices and lessons learned from the demonstration Centers, and will establish controls and processes to ensure accountability and protect the Government's interests. The new Agency-wide EUL policy will include processes that provide:

1. Criteria for determining that EUL represents the best economic value for the Government, compared with other options, such as Federal financing through appropriations or sale of the property;
2. Measures of effectiveness for the EUL program;
3. Accounting controls and processes to ensure accountability, such as:
    a. an accounting system for tracking the value of in-kind consideration; and,
    b. an audit trail and documentation to readily support financial transactions.
4. Identifying and quantifying the value of in-kind consideration arrangements (under existing EUL authority) and expenditures of EUL revenue in its annual EUL reports to the Congress; and,
5. Reporting the availability and use of EUL funds in the Agency's operating plans.

V. Development of New EUL Leases

NASA Centers with EUL authority are responsible for developing leases that support the NASA missions to pioneer the future in space exploration, scientific discovery, and aeronautics research. Each lease will likely be unique in its aspects but all should support the NASA mission.

If the lease meets the guidelines for submittal of an abstract of the agreement to the Office of Program and Institutional Integration, the Center is to seek and gain the Office of Program and Institutional Integration concurrence before negotiating the lease. These guidelines may be found in the Associate Administrator's letter of April 2, 2007, "Interim

Policy Regarding Headquarters Review of Proposed Space Act Agreement Activities." See Appendix B. The Office of Program and Institutional Integration will coordinate their review of the abstract with the mission directorates and other Headquarters organizations.

Each EUL lease needs to comply with 14CFR1204.504 which requires:

1. The interest to be granted is not required for a NASA program;
2. the lease will have no negative impact to NASA's mission;
3. the grantee's exercise of rights granted will not interfere with NASA operations; and,
4. Fair value is received by NASA on behalf of the Government as consideration.

Each Center needs to ensure that the interests of NASA are protected by including language in the lease that protects the interest of the Government. This includes adequate termination language. The Center is to ensure that terms and conditions are incorporated into the lease which are appropriate to protect the interest of the United States. The standard language for termination included in 14CFR1204.504 is restrictive and may be modified provided that a waiver is submitted to and approved by the Director, Facilities Engineering and Real Property Division. Centers may request a waiver by the Director, Facilities Engineering and Real Property Division from the requirements of 14CFR1204.504.

VI. Business Case

The Center is to develop a business case for each EUL lease. The business case should support the lease as the best economic value to the Government and compare the lease to other options including a status quo option of leaving the asset in its existing state. The Center is to ensure that the costs in personnel resources to develop, enter into, and manage the lease are included in the business case. Also include rents, common service charges, and other costs received from the tenant.

The business case is to compare the use of EUL to other methods for managing the property. These are to include status quo/underutilized, upgrade of the facility by modification or repair for NASA use, standby/mothball the facility, abandon the facility, and demolition of the facility. Operations and maintenance costs should be included in all options as appropriate. Comparison of options should be made using ECONPACK as described in the NASA Business Case Guide for Facilities Projects, dated April 20, 2006. The guide is available at the FERP website, <http://www.hq.nasa.gov/office/codej/codejx/jxstaff_planning.html>.

If a significant part of a building is to be leased to multiple tenants a business case does not have to be developed for each tenant. A business case should be prepared for the portion of the building that will be available for lease.

To help manage the number of business cases, business cases for EUL leases may be tiered. If the EUL is part of a larger project for development of facilities and land at the Center and the larger development is covered by an encompassing business case, a separate business case does not have to be developed for each EUL inside the development. This would be the case for a large research park.

If the Center is not planning on a large research park but is planning on entering into several EUL leases the Center may develop a business case that reflects all of their plans for EUL into the single document. This Centerwide EUL business case should incorporate all known facilities that the Center is considering putting under EUL leases. By having a comprehensive EUL business case the Center can present their plan for EUL to Headquarters as a package and not have to submit business cases for individual leases for review. EUL leases not covered by a Centerwide or large development business case will require a separate business case.

The Center EUL business case should discuss how the EUL lease or leases fits into the concept for overall Center development incorporated in the Center Master Plan.

VII. Consideration

The Center is to ensure that consideration under the EUL is not less than the fair market value of the property. The fair market value should be developed through an appraisal using a certified appraiser, the U.S. Army Corps of Engineers, or other appropriate means that can substantiate how the value of the rent was determined.

Under NASA's existing EUL authority the Centers may receive consideration in cash and consideration other than cash. These in-kind considerations include maintenance, construction, modification or improvement of facilities on NASA real property and provision of services to NASA. In-kind consideration must have auditable value and be included in the lease.

The Center is to explain how the value of the in-kind consideration was determined and include a Government estimate of the in-kind consideration in the lease package submitted to Headquarters for review and approval. The value allowed for in-kind consideration must not exceed the Government estimate.

VIII. Use of Cash Proceeds

NASA's current EUL authority allows NASA to retain the cash received in consideration rather then being sent forward to the Treasury. The revenues received may be retained and used (1) to cover the full costs to NASA in connection with the lease, and (2) for maintenance, capital revitalization, and improvements of the real property assets of the Center. This includes the revitalization, repair and replacement of collateral equipment as defined in NASA Financial Management Requirements.

Centers are encouraged to utilize the EUL revenue for revitalization and improvements to the real property capital assets at the Center rather than spending the EUL revenue for day-to-day maintenance and operations of facilities. The revenue may be spent on any real property at the Center. It does not have to be spent on the facilities or infrastructure that is leased out under EUL.

IX. Lease Submittal to Headquarters

Unless authority to enter into the lease has been delegated to the Center under 14CFR1204.504, the lease is to be submitted to the Facilities Engineering and Real Property Division with the supporting information defined below for review and approval before entering into the lease. The Facilities Engineering and Real Property Division will coordinate the review of the lease within the appropriate offices in Headquarters.

The Center should only submit leases for review that have been reviewed and concurred on by the Center's environmental office, safety office, security office, Center Office of the Chief Financial Officer, Center Chief Counsel's Office, and facilities office, including master planning and real estate. The business case for the lease should have been reviewed and concurred on by the Center Office of the Chief Financial Officer, Center Chief Counsel's Office, and facilities office, including master planning and real estate.

The information submitted should include the following information.

Summary: Provide a summary of the EUL lease. The summary should include a description of the property, the term of the lease, and consideration by the tenant. The summary is to clearly describe the proposed conveyance, and describe how the proposed activity supports NASA's mission in both qualitative and quantitative terms. Also provide detailed facility plans with maps as appropriate. If the Center had submitted an abstract of the agreement to the Office of Program and Institutional Integration for review and concurrence, a copy of the abstract with the Office of Program and Institutional Integration concurrence should be submitted as part of the lease summary.

Lease: Provide a final draft of the unsigned lease as agreed to by all parties.

Business Case: Provide a business case for the EUL lease or reference a previously submitted business case that incorporates the lease being submitted

Security Analysis: Describe the legislative jurisdiction of the subject property and discuss the law enforcement responsibilities required based on that jurisdiction. Describe how and what security services will be provided to or by the tenants. Determine if the tenants will possess any material that may affect security requirements; i.e., national security classified information, weapons or explosive materials, drugs, cash, etc.

Environmental Analysis: Document Environmental Baseline Survey and provide completion certification for the National Environmental Policy Act process. Copies of these documents are to be held by the Center. Document compliance with the provisions of the Greening the Government Executive Orders (e.g., recycling, waste reduction, energy efficiency, water conservation, sustainable design, pollution prevention, etc.) where applicable.

X. Headquarters Review

The Facilities Engineering and Real Property Division will coordinate the review of the submitted lease and submission package with the following Headquarters organizations:

1. Office of the General Counsel;
2. Environmental Management Division;
3. Chief Safety and Mission Assurance;
4. Office of Program Analysis and Evaluation;
5. Office of Program and Institutional Integration; and,
6. Associate Administrator.

The Headquarters review will include:

1. Review to ensure that partnerships support NASA mission;
2. Review of business case;
3. Review for alignment with Center Master Plan;
4. Review to ensure conformance to 14CFR1204.504;
5. Review for incorporation of necessary clauses; and,
6. Review for valuation of in-kind consideration.

XI. Tracking Leases and Consideration

The NASA Real Property Inventory (RPI) database will be used to record all EUL leases. Centers are to enter EUL leases into the RPI as "Enhanced Use Lease" under the "Type of Instrument" menu. Non-EUL leases will use the term "Lease" for "Type of Instrument". Each lease whether for land, a building, for other structure or infrastructure, or part of a building will be entered as a separate lease.

The Center is to enter the name of the tenant, the <u>annual</u> rent, the <u>annual</u> payment for service pool costs if applicable, and the term in years or months of the EUL. The service pool costs are charges assessed to the tenant to cover the tenant's fair share of common services supplied to the tenant by the Center (such as security), as well as Center overhead. If these costs are included in the rent charged to the tenant no separate entry needs to be made. The Center is to enter this information for all EUL leases no matter the size or the term. In addition to cash received for rent and service pool costs mentioned above the Center is to enter the value of the in-kind consideration received for the EUL lease.

The information in the RPI will be used for internal reporting, for annual reporting to GAO as part of the Federal Real Property Profile, and for the annual EUL report to Congress.

XII. Center Reports.

Annual submissions. As part of the yearly Planning, Programming, Budgeting and Execution process, Centers are to provide the Office of Program and Institutional Integration with their projection of EUL revenue and a proposed plan for spending the EUL revenue. Projected revenue is to include cash rent and service pool payments, and the anticipated value of in-kind consideration for the current Fiscal Year, and for the two out-years to be reported annually by July 15. Realistic forecasting of anticipated revenues and expenditures is critical in submission of the Agency's operating plan. In addition Centers are to report by January 15 of each year:

1. Value of in-kind consideration for each lease received in preceding calendar year; and,
2. Expenditures to cover the full costs to NASA in connection with each lease.

Quarterly submissions. In order to comply with the recommendations contained in the GAO report, the Centers are to maintain accurate records of the following and are to report the information for each lease to the Facilities Engineering and Real Property Division no later than the 15th of January, April, July, and October.

1. Cash rent received for each lease,
2. Service pool payments received for each lease,
3. Service pool costs paid to provider for each lease,
4. Expenditures from EUL rent received:
    a. to cover the full costs to NASA in connection with the lease; and,
    b. for maintenance, capital revitalization, and improvements of the real property assets.
5. A list of completed projects on which the rent revenue has been spent including the name and identifying number of the asset on which the funds were spent and a description of the project including the cost of the completed project.

XIII. Measures of Effectiveness of EUL Program

The Facilities Engineering and Real Property Division will measure the effectiveness of the EUL program using the information reported by the Centers as well as the information in the NASA RPI. These measures will include:

1. The amount of revenue received;
2. The number of underutilized buildings leased under EUL; and,
3. The amount of revenue spent on facilities repair as a percent of the funds spent on repair of the facilities at the Center.

XIV. NASA Annual EUL Report to Congress

NASA submits an annual report to Congress by January 31st of each year regarding the status of the demonstration program as required by NASA's current EUL authority. The report includes a status of the program and provides information on the active leases in the preceding year. The report also highlights proposed projects for the coming year and beyond.

The annual report will include:

1. List of Active Leases;
2. Cash consideration received in preceding year;
3. Value of In-kind consideration received in preceding year;
4. Expenditures to cover the full costs to NASA in connection with the lease;
5. Expenditures from capital account;
6. Proposed leases for coming years; and,
7. Measure of the effectiveness of the EUL program.

Appendix A

ENHANCED-USE LEASE OF REAL PROPERTY DEMONSTRATION

SEC. 315. (a) IN GENERAL- Notwithstanding any other provision of law, the Administrator may enter into a lease under this section with any person or entity (including another department or agency of the Federal Government or an entity of a State or local government) with regard to any real property under the jurisdiction of the Administrator at no more than two (2) National Aeronautics and Space Administration (NASA) Centers.

(b) CONSIDERATION-

(1) A person or entity entering into a lease under this section shall provide consideration for the lease at fair market value as determined by the Administrator, except that in the case of a lease to another department or agency of the Federal Government, that department or agency shall provide consideration for the lease equal to the full costs to NASA in connection with the lease.

(2) Consideration under this subsection may take one or a combination of the following forms--

(A) the payment of cash;

(B) the maintenance, construction, modification or improvement of facilities on real property under the jurisdiction of the Administrator;

(C) the provision of services to NASA, including launch services and payload processing services; or

(D) use by NASA of facilities on the property.

(3)(A) The Administrator may utilize amounts of cash consideration received under this subsection for a lease entered into under this section to cover the full costs to NASA in connection with the lease. These funds shall remain available until expended.

(B) Any amounts of cash consideration received under this subsection that are not utilized in accordance with subparagraph (A) shall be deposited in a <u>capital asset account</u> to be established by the Administrator, shall be available for maintenance, capital revitalization, and improvements of the real property assets of the centers selected for this demonstration program, and shall remain available until expended.

(c) ADDITIONAL TERMS AND CONDITIONS- The Administrator may require such terms and conditions in connection with a lease under this section as the Administrator considers appropriate to protect the interests of the United States.

(d) RELATIONSHIP TO OTHER LEASE AUTHORITY- The authority under this section to lease property of NASA is in addition to any other authority to lease property of NASA under law.

(e) LEASE RESTRICTIONS- NASA is not authorized to lease back property under this section during the term of the out-lease or enter into other contracts with the lessee respecting the property.

(f) PLAN AND REPORTING REQUIREMENTS- At least 15 days prior to the Administrator entering into the first lease under this section, the Administrator shall submit a plan to the Congress on NASA's proposed implementation of this demonstration. The Administrator shall submit an annual report by January 31st of each year regarding the status of the demonstration.'

Appendix B

Associate Administrator's letter of April 2, 2007,
"Interim Policy Regarding Headquarters Review of Proposed Space Act Agreement Activities."

National Aeronautics and
Space Administration
Office of the Administrator
Washington, DC 20546-0001

Appendix B

April 2, 2007

TO: Officials-in-Charge of Headquarters Offices
Directors, NASA Centers

FROM: Associate Administrator

SUBJECT: Interim Policy Regarding Headquarters Review of Proposed Space Act Agreement Activities

My January 18, 2007, memorandum provided some fundamental guiding principles regarding Space Act Agreements and announced a related joint review by the Office of Program and Institutional Integration (OPII) and Program Analysis and Evaluation (PA&E). The review will result in options for improving NASA's Space Act Agreement policies, procedures, and systems.

Among many aspects, the review team is examining NASA's protocols and procedures for coordinating Space Act Agreement activities between the Centers and Headquarters. This is a critical issue in ensuring that agreements are effectively utilized and strategically managed from an Agency-wide perspective. Pending the results from the OPII/PA&E review, I am implementing interim coordination procedures applicable to agreements entered into under NASA's "other transactions" authority under the Space Act (including Reimbursable and Nonreimbursable Space Act Agreements, Memoranda of Understanding, and Memoranda of Agreement).

Effective immediately, OPII is the designated Headquarters office for reviewing proposed Space Act Agreement activities on my behalf. Centers and Headquarters offices initiating Space Act Agreement activities shall forward abstracts of key information (described in the Enclosure) for the proposed activities to OPII (Attn: Joe Kroener, Mail Suite 8R11, joe.kroener@nasa.gov) for review prior to negotiating or committing to any agreements. For this preliminary review, only abstracts are required.

Upon receipt of the abstract, OPII (in coordination with other affected or interested Headquarters organizations such as the Mission Directorates, the Office of External Relations, and the Office of the General Counsel) will review the proposed activity. OPII will then either approve proceeding with the activity or communicate any areas of concern to the initiating office, as well as to me, and will facilitate timely resolution of any issues. OPII will endeavor to review abstracts within five (5) business days of receipt. Any material changes to the proposed activity, parties, or terms and conditions after the preliminary OPII review should be brought to OPII's attention prior to the initiating office entering into a final agreement.

The OPII preliminary review is in addition to required reviews of the actual resultant agreements pursuant to other applicable policy and procedural guidance [e.g., NASA Policy Directive (NPD) 1050.1H, "Authority to Enter Into Space Act Agreements," NASA Advisory Implementing Instruction (NAII) 1050-1, "Space Act Agreements Guide," Volume 16 of the "Financial Management Requirements"]. Also, this interim policy in no way modifies the Agency's existing policy regarding the Assistant Administrator for External Relations' responsibility for the negotiation and execution of International Agreements (unless delegated pursuant to NPD 1050.1H) and for the review of all Interagency Agreements.

This interim policy pertains to all proposed Space Act Agreement activities that could have a material impact on the Agency. In determining which activities may have a material impact on the Agency, initiating offices should consider the guidelines contained in the Enclosure. These guidelines are intended to minimize the burden on Centers by excluding certain types of activities wherein the risk from those activities is minimal. Centers are expected to use their judgment, based on the guidelines, in determining when OPII's review is required.

Please contact Joe Kroener at (202) 358-2558, if you have any questions regarding this interim policy.

Rex D. Geveden

Enclosure

Required Content for Abstracts

Abstracts should include the following information, to the extent applicable, in addition to any other information the initiator considers relevant to facilitate OPII's review:

(1) overall description of proposed activity/activities, responsible NASA personnel, and proposed Agreement Partner (including beneficiaries of the subject activity);

(2) responsibilities of NASA and the Agreement Partner;

(3) performance or other milestones;

(4) financial commitments by NASA or the Agreement Partner;

(5) resource commitments (personnel, facilities, and equipment) by NASA or the Agreement Partner;

(6) proposed term of Agreement;

(7) affected NASA Mission Directorate(s), if any; and;

(8) a description of how the proposed activities support NASA missions.

OPII Review Guidelines

Will always require OPII review:

- Foreign entities are involved.

Will generally require OPII review:

- Activities are likely to be newsworthy.
- Press release anticipated by NASA or Agreement Partner.
- Activities may receive industry attention.
- Has a direct impact on a NASA Mission Directorate's activities or assets.
- Other government entities are involved or likely to be affected.
- Large dollar amounts involved.
- Resultant agreement anticipated to include unusual waivers (cost or policies).
- Novel agreement types or activities.

Enclosure

Will generally not require OPII review:

- Renewals or extensions of existing agreements with U.S. partners.
- Agreements with U.S. partners with whom NASA has worked repeatedly before.
- Certain categories of historical or long-established activities (for example, astronaut appearances, GSFC-NOAA work, wind tunnel test services for American industry or non-Federal governmental entities). For any proposed categories to be waived, Centers should send waiver requests to OPII for consideration, explaining their rationale for why those categories present minimal risk and should not require preliminary Headquarters/OPII review.

As a "rule of thumb," when in doubt, initiating offices should forward abstracts to OPII for review.

Distribution:
Deputy Administrator/Ms. Dale
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Chief of Staff/Mr. Morrell
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Chief Information Officer/Dr. Pettus (Acting)
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Chief of Strategic Communications/Mr. Sterner

- Assistant Administrator for Communications Planning/Mr. Hopkins
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Director, Innovative Partnerships Program Office/Mr. Comstock
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Director, Office of Program and Institutional Integration/Mr. Keegan
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cc:
Assistant Associate Administrator/Ms. Johnson
Director, Strategic Investments/Mr. Shank